Pressure

App. F IX-4

1928.

File No. 63-28

Previous References (nil)

Serial Nos. 14 & 29

Later References

Nil 63-28853, 58, 70472

General and Revenue Secretariat.

★ *Serial Nos.*

Part B for 1928

SUBJECT

Byelaws relating the regulation of water - supply to Kalasa town

29- The Dy Commissioner Kadur
L 3405/Dy 5-11-1928.

Observes that the Kalasa Village Panchayet itself may frame - Byelaws regulating water supply

14/28 11 28

1034

App F III—2]

General and Revenue Secretariat. File No. 63 of 1928

Serial No. 14

Letter no A5 3463 Dy 25-8-28 from the Dy Kaira forwards the Bye laws relating to the regulation of water supply of Kalasa Town & states that the Town Planning Officer has approved of the same for adoption

The Bye laws do not seem to have been published for inviting objections called for under section 48 (2) of the Bom Regn nor does the records disclose the publication of the rule at all even any. It seems that the Dist Mag considers that Govt approval is necessary for such publication: although reply is not asked for orders.

Put up
3-9-28, 2 Dy Secy

3 Is Kalasa a municipality? I find it referred to as such in the draft, while in the proposed rules it is spoken of as a Panchayat?

OFFICE OF THE SECOND MEMBER OF COUNCIL
4 SEP 1928
No. 2011

NOTE—Contn. Sheet.

WD 6171—GPB—30,000—10-4-28

(3

684

App. F III—2]

General and Revenue Secretariat. | F File No. 63 of 1928

Serial No.

be published inviting objections if any from the Villagers etc.

The following Verbal changes in the Rules are suggested:-

Rule 7 Change the Word "Expenses" into "Law Charges" or "Charges"

Rule 11 (a) Change the word "if" into "of" No.

This is perhaps a typing Mistake.

The Secy.

Hm/ 27/9/28

CHIEF SECRETARY. 24 SEP 1928

(I presume that there is no further doubt now ~~entertained~~ that Kalasa is a village Panchayat and not a Municipality)

I do not think that these rules can be issued under section 65 of the Rajas as the rule making power conferred by that section ceases to be a general power to frame rules for all Panchayats and not for individual cases like this.

It however seems to me that the Panchayat itself can adopt these rules, without specific authority in

In regard to trade cess, several rules have already been issued etc

Horse—Comm. Sheet.

WD 6171—GPS—60,000—30-4-28

(3

684

App F III—2]

General and Revenue Secretariat. | F File No. 63 of 1928

Serial No.

be published inviting objections if any from the Villagers etc.

The following Verbal changes in the Rules are suggested:-

Rule 7 Change the Word "Expenses" into "Law Charges" or "Costs"

Rule 14 (a) Change the word "if" into "of" No. This is perhaps a typing Mistake.

Submitted.

Sd/ 22/9/28

CHIEF SECRETARY. 24 SEP 1928

(I presume that there is no further draft now under that Rules as a village Panchayat does not a Municipality)

I do not think that these rules can be issued under section 65 V P Regn as the rule making power conferred by that section ceases to be a general power to frame rules for all Panchayats and not for individual ones like this.

It however seems to me that the Panchayat itself can adopt these rules, without specific authority from

In regard to rules applying, general rules have already been issued

Sd/-

HOUSE—Contin. Sheet.

WD 6174—GFD—50,000—30-4-28

154 pgd

App. F III—2]

General and Revenue Secretariat.	File No. of 192

Serial No.

Govt, under section 32 (v)(e) by which a Panchayat can "do any other acts necessary for carrying out the purposes of this section" viz providing proper water supply

Such of the draft rules as relate to the entrol of house service connections rest on a contractual bases and appropriate safeguards should be taken in each case The rules themselves do not require the sanction of Govt

Public Branch may be consulted

Asstt Secy, Public Health with Compts

Please put up a copy of the rules framed by Govt under the V-S Regn

Please put up a copy of the manual of Rules and Orders under the V-S Regn in, indexed & flagged

Note—Contn. Sheet.

WD 6171—6172—20,000—20-4-22

10 3/4

App. F III—2]

General and Revenue Secretariat.

File No. 12 of 1928

Serial No.

There is no provision in the V.P Regt for a village panchayet framing bye laws in regard to any matter and a provision such as that contained in bye-law No 16 proposed in the present case is ultra vires of a village panchayet The Kalaba V.P has however power to take action under S-32 and to the extent permitted by that section and in view of S. 63(1)(c) it is the desirability only of an order of the kind it is presumed empowered to make under subsection (3) of S-32 that will be punishable as an offence.

Asstt Secy
if S to be
with Compts

6/10/28

Dy Secy

9/10/28

CHIEF SEC'S OFFICE
9 OCT 1928

Except they the penalty clause (No 16) the rules may be adopted by the village Panchayet They will of course have no statutory validity so far as the rules concern the power of house examination, they should be embodied in agreements taken from house-owners

Secd Member

yes

Secy 12/10

CKZ 23/10

Draft Rep 23/10

Secy 24/10

OFFICE OF THE
BOMBAY GOVERNMENT OF COUNCIL
17 OCT. 1928
No. 9284

NOTE—Comin. Sheet.

WD 6171—GTB—20,000—10-28

J 1.34 6

App F III—2]

General and Revenue Secretariat. hrc File No. 63 of 192 8

Serial No.	
	Draft herewith.
	Appr 31-8-28 W
	Mr 7/11/28
29.	G.O. No. L 3405-B 5-11-28 Stating that the Rules may be adapted by the Panchayat Elections Ordinance Clause 16 also.

Dr 7/11

GEN. & REV. SECTT. 23 NOV 1928

Note—Contn. Sheet.

WD 6776—6P3—30,000—24.8.28.

W D 324—GPS—1,250—6-8-28

D.C.4}

No.A5-3463-26. OFFICE OF THE DEPUTY COMMISSIONER,
KADUR DISTRICT

Enc 1 letter & 4 Bye-laws Dated Chikmagalur, 25th August 1928.

1074

FROM

H. V Ramaswami, Esq., M.A., B.L.,
Deputy Commissioner,
Kadur District.

To

R Ranga Rao, Esq., B.A., B.L.,
Secretary to the Government of Mysore.
General Department, *Bangalore.*

Sir,

In forwarding herewith copies of Bye-laws (in English and Kannada in duplicate), relating to the regulation of water supply of the Kalasa Town, I have the honor to state that the Executive Engineer, Sanitary and Town Planning Division, to whom they had been sent for opinion, states in his letter No. 255 dated 4-8-1928 (copy enclosed) that the bye-laws are in order and may be adopted.

2. I accordingly request that sanction of Government may kindly be obtained to the said Bye-laws and to the publication of the same in the Mysore Gazette for further action being taken in the matter

I have the honour to be,
Sir,
Your most obedient servant,

H V Ramaswami

Deputy Commissioner,
Kadur District.

8

G.R.S. VI G 84]

SUBJECT.....

Diary No. of letter replied to.....

Section WC
File No 63-28
Serial No. 29

General and Revenue Secretariat

( )

, the 192

Proceedings of the Government of His Highness the Maharaja of Mysore

Date of issue... 5-11-28

Signed by ...Mr T K S Iyer...

Read— Letter No A 5-3463-24 dy 25-8-28 from the DC Kadur forwarding for sanction a draft Bye laws for the regulation of water supply in the Kadur Pamchayath area stating that the Bye laws

Order Thereon No.

have been approved by the Executive Engr, Sanitary & Town Planning Dn

Orders in No A5-3405 dy 5-11-28

May this be

i Printed ?

ii treated as a standing order ?

iii published in the Gazette, English Part ?

iv translated ?

v placed at the disposal of the press ?

vi published in the Gazette, Kannada Part ?

7

There is no provision
in the W-P Regs. under the
Heritage Procedure to ensure
that Regs remove the Parliamentary
stage ~~may~~ however not affect the
~~Secretary~~ ~~Regs~~ ~~under~~ regarding the penalty clause (No 16)
under Sch 32 of the Act
~~32 (1) (a) of the Heritage Procedure~~
~~Regs for parliamentary purposes~~
~~water supply to the Parliamentary~~
The Secretary ~~of State~~ therefore
~~to adopt~~ adopted by the Parliamentary
~~excepting the penalty clause~~
(~~No 16~~) the rule relating
to control of house removals Last of enclosures.
Consultation ~~must~~ on contracts ~~to~~ this
~~is~~ ~~to~~ ~~make~~ ~~this~~ ~~to~~ ~~the~~ ~~Act~~
~~authorities~~ ~~to~~ ~~authorities~~ ~~accepted~~ ~~to~~ ~~to~~ ~~to

Extra copy

UD

Proceedings of the Government of His Highness the Maharaja of Mysore.

Dated

Letter No.A.S-[illegible]-28 dated 25th August 1928 from the Deputy Commissioner, Kadur District forwarding for sanction draft Bye-laws for the regulation of water supply in the Kadur Panchayet and stating that the Bye Laws have been approved by the Executive Engineer, Sanitary and Town Planning Division.

Order No.L. 3405/ML63-28-29

Dated, Bangalore, the 5th November 1928.

There is no provision in the Village Panchayet Regulation enabling a Village Panchayet to frame Bye Laws. The Panchayet itself may however adopt the rules excepting the penalty clause (No.16) under Section 38 of the Regulation. The rules relating to control of house service connections rest on contractual basis and they should be embodied in mutchalikas to be taken from the house owners in the matter.

By Order,

For Chief Secretary to Government.

The Deputy Commissioner, Kadur District with a copy of the